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Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-eighth year

Report of the International Criminal Tribunal for Rwanda

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the eighteenth annual report of the International Criminal Tribunal for Rwanda, submitted by the President of the Tribunal in accordance with article 32 of its statute (see Security Council resolution 955 (1994), annex), which states:

> The President of the International Tribunal for Rwanda shall submit an annual report of the International Tribunal for Rwanda to the Security Council and to the General Assembly.

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Letter of transmittal

1 August 2013

I have the honour to submit the eighteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, dated 1 August 2013, to the General Assembly and the Security Council, pursuant to article 32 of the statute of the Tribunal.

(*Signed*) Vagn **Joensen**
President

President of the General Assembly
United Nations
New York, NY 10017

President of the Security Council
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Eighteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Summary

The present annual report outlines the activities of the International Criminal Tribunal for Rwanda for the period from 1 July 2012 to 30 June 2013.

During the past year, the Tribunal completed its workload at the trial level and continued its efforts to complete the remaining appeals expeditiously. The Tribunal has made significant progress, delivering the final trial judgement involving one accused during the reporting period. The Appeals Chamber rendered two judgements concerning three persons, bringing the total number of persons whose judgements have been completed at the appellate level to 46. Completion of the appeals work in all but one case is expected by the end of 2014, with the final judgement in the multi-accused *Butare* case, concerning six accused, expected by August 2015.

The Office of the Prosecutor focused on the handing over of responsibility for the tracking of fugitives to the International Residual Mechanism for Criminal Tribunals and providing support for national authorities in the prosecution of crimes relating to the 1994 Rwandan genocide. Continuous support was also extended to Rwandan authorities to assist them in preparing for the transfer of cases from the Tribunal.

The Registry continued to provide a high level of administrative and judicial support to the Tribunal and to the Mechanism, the Arusha branch of which opened on 1 July 2012. The Registry ensured the cooperation and assistance of Member States with the Tribunal and further strengthened its outreach and capacity-building activities in Rwanda. The Division of Administrative Support Services continued to ensure the efficient management of the Tribunal's downsizing process and handover to the Mechanism, while at the same time preparing staff members for a life after the Tribunal.

All organs of the Tribunal are devoting their best efforts to completing the work of the Tribunal expeditiously, and a smooth transition to the Mechanism is now well under way. The following objectives require essential cooperation and support of Member States: three fugitives remain to be arrested by the Mechanism, seven acquitted persons and three persons who have completed their sentences need countries for relocation, and the Tribunal needs to be provided with sufficient resources to be in a position to complete its tasks in the time frame expected. The Tribunal relies on the ongoing support of Member States to achieve these goals.

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I. Introduction

1. This eighteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 outlines the activities of the Tribunal for the period from 1 July 2012 to 30 June 2013.

2. The Tribunal, through the Office of the President, the Chambers, the Office of the Prosecutor and the Registry, has continued its efforts to meet the goals of its completion strategy, as endorsed by the Security Council in resolution 1503 (2003), with intense trial, referral and appeals activity and judgement drafting. During the reporting period, the Tribunal has begun to hand over responsibilities to the International Residual Mechanism for Criminal Tribunals, the Arusha branch of which commenced operations on 1 July 2012. A smooth transition to the Mechanism is now well under way.

II. Activities of the Tribunal

3. As at 30 June 2013, the Tribunal consists of the Trial Chamber, the Appeals Chamber, the Office of the Prosecutor, and the Registry. From 1 September to 31 December 2012 Pascal Besnier (France) served as the Acting Registrar of the Tribunal at the Secretary-General's request while the process was undertaken to choose a new Registrar to replace Adama Dieng (Senegal), who left to assume the post of Special Adviser to the Secretary-General on the Prevention of Genocide. On 1 January 2013 Bongani Majola (South Africa) assumed the position of Assistant Secretary-General and Registrar of the Tribunal following his appointment by the Secretary-General for a term of four years or until closure, if sooner. On 10 April 2013 Judge Vagn Joensen (Denmark) was re-elected by acclamation to a second term as President of the Tribunal.

A. Activities of the President

1. Judicial activity

4. During the reporting period, the President issued orders and decisions on a variety of matters in his role as both President of the Tribunal and duty judge of the Arusha branch of the Mechanism. Those decisions and orders related to matters including State cooperation, amendment of indictments and arrest warrants, witness protection review, contempt of the Tribunal, and the administration of monitoring of referred cases.

2. Completion strategy

5. In close cooperation with the Prosecutor and the Registrar, the President has continued to implement the Tribunal's completion strategy. On 5 December 2012 and 12 June 2013, the President presented the six-monthly completion strategy reports to the Security Council. In the course of the reporting period, the Tribunal issued its

last judgement concerning one person at the trial level and two judgements at the appeals level concerning three accused. The work at the trial level is now complete and only appeals remain.

6. Any further staff attrition would be an impediment to the timely achievement of completion strategy goals. Replacement of departing staff members is a lengthy process, which even in a best-case scenario would result in delays and cannot compensate for the continuous loss of institutional memory. The Security Council, in resolution 2054 (2012), reiterated its call upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the Tribunal in order to find practicable solutions to address the staffing situation.

7. The Security Council in its resolution 1966 (2010) establishing the International Residual Mechanism for Criminal Tribunals requested the Secretary-General to make the practical arrangements necessary for the commencement of the Mechanism's operations. Under the direction of the Office of Legal Affairs, the Tribunal has worked closely with the International Tribunal for the Former Yugoslavia since February 2011 to implement that mandate. The initial priority was to develop a budget proposal for the 2012-2013 biennium and draft Rules of Procedure and Evidence. The budget was approved by the General Assembly and the Rules of Procedure and Evidence were adopted by the judges of the Mechanism in June 2012. The next steps focused on harmonizing the policies, procedures and operations of the two Tribunals, and initial provision by the Tribunal of administrative services to the Mechanism. Those efforts resulted in the successful opening of the Arusha branch of the Mechanism on 1 July 2012, following which most judicial and prosecutorial functions have now been handed over from the Tribunal to the Mechanism.

3. Diplomatic relations and other representation

8. The President maintained regular contact with United Nations Headquarters and the diplomatic community in the host country, at the seat of the United Nations, and in other countries. The United Nations Secretariat, and in particular the Office of Legal Affairs, provided important legal advice and diplomatic support to ensure smooth cooperation between the Tribunal, the Security Council and the General Assembly.

9. On the occasion of their briefings before the Security Council, both the President and the Prosecutor of the Tribunal participated in meetings of the Security Council Informal Working Group on International Tribunals. This allowed for comprehensive and open discussions with the legal advisers of the members of the Security Council.

10. The President and the Registrar have worked closely to engage in diplomatic efforts towards the relocation of persons acquitted by the Tribunal and those convicted persons who have completed their sentences and have been released from the United Nations Detention Facility in the United Republic of Tanzania. To this end, the Tribunal submitted to the Working Group on 30 May 2013 a strategic plan for the relocation of acquitted and released persons in the United Republic of Tanzania. Enhanced cooperation of Member States on the issue of relocation will be required in order for the Tribunal to be successful in implementing its strategic plan.

B. Activities of coordination mechanisms

1. Coordination Council

11. The Coordination Council, consisting of the President, the Prosecutor and the Registrar, met regularly to discuss issues affecting the entire Tribunal, such as the completion strategy, staffing, cooperation with the Mechanism, and budgetary and financial matters. A Joint Coordination Council consisting of the Presidents, Registrars and Prosecutors of the Tribunal and Mechanism also met regularly in order to take policy decisions to ensure coordinated efforts in the preparation of the budgets of the two institutions for the biennium 2014-2015 and with respect to the ongoing transition.

2. Plenary session

12. During the reporting period, the Tribunal's judges held their twenty-fourth plenary session on 10 April 2013 at The Hague. During the plenary, President Joensen was re-elected by acclamation to a second term of office and amendments to rules 6 and 26 of the Rules of Procedure and Evidence were adopted which reduce the required number of judges to adopt rule amendments and to reach a quorum at plenary sessions. The amendments were deemed necessary to ensure the smooth functioning of the Tribunal as it moves towards closure and the number of judges decreases.

3. Rules Committee

13. The Rules Committee submits or discusses proposals for amendments of the Rules of Procedure and Evidence. During the reporting period, the Committee, in its extended format, chaired by President Joensen and supported by representatives of the Office of the Prosecutor and defence counsel, met to discuss the potential need for any further amendments to the Rules of Procedure and Evidence as part of downsizing. The Rules Committee unanimously agreed to suggest the amendment of rules 6 and 26, the result of which was the amendment of those rules as described above.

C. Activity of the Chambers

1. Composition of the Chambers

14. The Chambers currently comprise one Trial Chamber and one Appeals Chamber and are composed of 10 permanent judges in the Appeals Chamber and one ad litem judge serving as President.

15. The one remaining ad litem judge, President Vagn Joensen (Denmark) is a member of the Trial Chamber. During the reporting period one permanent judge, Judge William H. Sekule (United Republic of Tanzania) was redeployed to the Appeals Chamber in The Hague and two ad litem judges, Judge Solomy Balungi Bossa (Uganda) and Judge Mparany Richard Rajohnson (Madagascar), left the Tribunal after completion of their final cases. Judge Andrésia Vaz (Senegal) resigned from her position as permanent judge of the Appeals Chamber on 31 May 2013. In accordance with article 12 bis of the statute of the Tribunal, the President has requested the Secretary-General to appoint a replacement judge to serve the remainder of Judge Vaz's term, until 31 December 2014.

16. Ten permanent judges sit on the Appeals Chamber. With the redeployment of Judge Sekule to the Appeals Chamber during the reporting period and the departure of Judge Vaz, five of them are currently from the International Criminal Tribunal for Rwanda, namely Judges William H. Sekule (United Republic of Tanzania), Mehmet Güney (Turkey), Arlette Ramaroson (Madagascar), Khalida Rachid Khan (Pakistan) and Bakhtiyar Tuzmukhamedov (Russian Federation). The five other permanent judges on the Appeals Chamber are from the International Tribunal for the Former Yugoslavia, namely Judges Theodor Meron (United States of America) as presiding judge, Patrick Robinson (Jamaica), Fausto Pocar (Italy), Liu Daqun (China) and Carmel Agius (Malta).

2. Principal activity of the Trial Chambers and the Appeals Chamber

(a) Trial Chamber I

17. The work before Trial Chamber I is complete.

(b) Trial Chamber II

18. During the reporting period, Trial Chamber II delivered judgement in its final case. The work before this Trial Chamber is now complete.

Judgement in *Ngirabatware*

19. On 20 December 2012, a section of the Trial Chamber composed of Judges Sekule, presiding, Bossa and Rajohnson rendered oral judgement in the *Ngirabatware* case, sentencing Augustin Ngirabatware to 35 years imprisonment after finding him guilty of genocide, direct and public incitement to commit genocide and rape as a crime against humanity. The accused was the Minister of Planning of Rwanda during the relevant period. Throughout the course of the trial, a total of 27 prosecution witnesses and 35 defence witnesses were heard by the Chamber. The written judgement was filed on 21 February 2013. On the same date, the Chamber rendered a decision ordering prosecution by the Mechanism of two individuals for contempt of the Tribunal for alleged improper conduct related to witnesses in the *Ngirabatware* trial. The decision has been challenged in the Mechanism by those accused of contempt. The outcome of the motions pending as at the closure of this report will determine whether the prosecutions will move forward.

(c) Trial Chamber III

20. The work before Trial Chamber III is complete.

(d) Appeals Chamber

21. During the reporting period, the Appeals Chamber was seized of appeals from eight judgements concerning 18 persons, three appeals of referrals to national jurisdictions, and five motions for review or reconsideration. The Appeals Chamber rendered two final judgements concerning three persons, three referral appeal decisions, four decisions related to review or reconsideration, and 82 pre-appeal orders and decisions.

Appeal Judgements: *Gatete, Mugenzi and Mugiraneza*

22. Trial Chamber III on 29 March 2011 convicted Jean-Baptiste Gatete, a former *bourgmestre* and director in the Rwandan Ministry of Women and Family Affairs, of genocide and extermination as a crime against humanity and sentenced him to life imprisonment. The Appeals Chamber heard the parties' appeals on 7 May 2012. In its judgement of 9 October 2012, the Appeals Chamber affirmed Gatete's convictions and entered a conviction for conspiracy to commit genocide. The Appeals Chamber reduced Gatete's sentence to 40 years of imprisonment as a remedy for the violation of his right to be tried without undue delay.

23. On 4 February 2013, the Appeals Chamber reversed the convictions of Justin Mugenzi's and Prosper Mugiraneza, entered a verdict of acquittal, and ordered their immediate release. Mugenzi, the former Chairman of the Parti libéral and Minister of Trade and Industry, and Mugiraneza, the former Minister of Civil Service, were convicted by Trial Chamber II on 30 September 2011 of conspiracy to commit genocide and direct and public incitement to commit genocide. The Trial Chamber sentenced each of them to 30 years of imprisonment. The Appeals Chamber heard Mugenzi's and Mugiraneza's appeals on 8 October 2012.

Further appeals from judgement

24. Deliberations are now in progress in the *Ndindiliyimana et al.* and *Ndahimana* cases in which the Appeals Chamber heard arguments in May 2013. The Appeals Chamber is also seized of appeals in the cases of *Nyiramasuhuko et al.* (*"Butare"*), *Karemera and Ngirumpatse*, *Nzabonimana*, and *Nizeyimana*. The briefing is in progress, and the cases are being prepared for hearings.

D. Activities of the Office of the Prosecutor

25. The Office of the Prosecutor concluded the trial phase of all proceedings and continued to focus its efforts on the completion of ongoing appeals and monitoring the referral of cases to national jurisdictions. Pursuant to Security Council resolution 1966 (2010), the Office also continued to focus on transitional activities to ensure a smooth transfer of functions to the Office of the Prosecutor of the Mechanism.

26. Oral judgement in the case of *The Prosecutor v. Augustin Ngirabatware*, the last case slated for trial before the Tribunal, was returned on 20 December 2012 and written judgement entered on 21 February 2013. The conclusion of the Tribunal's trial phase has substantially increased the workload of the Appeals and Legal Advisory Division, which has been litigating 32 appeals arising from nine cases and two referral proceedings.

27. During the reporting period, the Appeals Chamber affirmed referral orders in the *Munyarugarama* and *Munyagishari* referral proceedings. All of the referral orders are now final and the Tribunal's referrals programme is concluded, with a total of eight cases referred to Rwanda and two cases referred to France for trial. As a result of these referrals and the completion of all trials in the first instance, the Office of the Prosecutor of the Tribunal has no further trial- or fugitive-related workload. The tracking, arrest and trial of the three top-level fugitives, Augustin Bizimana, Félicien Kabuga and Protais Mpiranya, and the monitoring of all referred cases is now being managed by the Mechanism. The Office of the Prosecutor of the

Mechanism will continue to assist Rwandan authorities in locating and apprehending the six fugitives whose cases have been referred to Rwanda for trial.

28. Pursuant to the launch of the Mechanism's Arusha branch on 1 July 2012, all prosecutorial and tracking functions have been handed over to the Mechanism and all the core staff as well as the ad hoc staff necessary to conduct the *Ngirabatware* appeal before the Mechanism have been put in place. The Office of the Prosecutor provided administrative services to the Mechanism on a double-hatting basis as the Mechanism prepares to gradually support itself in its various administrative functions.

29. Substantial progress was made in the preparation of the Prosecutor's evidentiary holdings and records for archiving pending transfer to the Mechanism. Transfer of the entirety of the archives of the Office of the Prosecutor of the Tribunal to the Office of the Prosecutor of the Mechanism is expected upon completion of all appeals and related litigation before the Tribunal. In addition to the archiving of records, the Office of the Prosecutor started work on the Prosecutor's closing report to the Secretary-General and other essential legacy products initiated over the years and expected to be concluded before the expiry of the Tribunal's mandate.

30. During the reporting period, the Office of the Prosecutor also met the growing demand for provision of assistance to national prosecuting authorities. The responsibility for the servicing of foreign requests for assistance formally moved to the Mechanism from 1 July 2012 and Mechanism core staff assumed responsibility for it on 1 November 2012 with some double-hatting support from staff of the Office of the Prosecutor at the Tribunal.

31. In addition to the archiving of records, work continued on a number of other important legacy projects on which the Office of the Prosecutor of the Tribunal has been working and which are planned to conclude before the expiry of the Tribunal's mandate.

E. Activities of the Registry

1. Office of the Registrar

32. The Office of the Registrar is responsible, among others, for providing support to the Chambers and the Office of the Prosecutor. It is also responsible for the administration of the Tribunal. During the period from 1 July 2012 to 30 June 2013, the Office of the Registrar provided effective court management and filing services to both organs of the Tribunal as well as the Appeals Chamber. It supported the completion of the *Ngirabatware* trial as well as judicial filings involving trial, appeal and referral cases. It also continued to provide administrative support to defence lawyers, including securing cooperation from Member States.

33. During the period under review, the main activities of the Office of the Registrar focused on supporting the conclusion of the remaining appeals, providing support to the International Residual Mechanism for Criminal Tribunals, preparing the records of the Tribunal for archiving and handover to the Mechanism and engaging Member States on a variety of issues necessary to achieve an orderly closure of the Tribunal.

34. The Office of the Registrar continued to act as the channel of communication between the organs of the Tribunal as well as between the Tribunal and the diplomatic community. The Office of the Registrar maintained high-level diplomatic contacts with Member States, international organizations and non-governmental organizations. During the reporting period, the Office of the Registrar transmitted more than 128 notes verbales and other correspondence related to the operations of the Tribunal, in particular, to secure support and cooperation from Member States with respect to the then remaining trial of Augustin Ngirabatware. The Registry also dealt with a number of inquiries and requests for legal assistance from national jurisdictions.

35. At the coming into existence of the Arusha branch of the Mechanism on 1 July 2012, the Office of the Registrar immediately transferred the following functions to the Mechanism: the enforcement of sentences, witness protection and support in completed cases, the tracking of the three remaining fugitives and assistance to national authorities in completed cases. As required, the Office of the Registrar started and continued to provide all assistance required by the Arusha branch to ensure both the successful and timely continuation of these operations and a successful discharge of the mandate of the Mechanism. Pending the development of the Mechanism's capacity to monitor cases, the Office of the Registrar assisted the Mechanism with its function of monitoring the *Uwinkindi* case that was referred to Rwanda for trial.

36. The President and the Registrar continue to deploy all efforts to find host countries for the remaining seven acquitted persons and three released convicts. During the period under review, the Tribunal has continued to encounter obstacles in relocating these individuals. There have not yet been any positive developments pursuant to Security Council resolutions 2029 (2011), 2054 (2012), and 2080 (2012), in which the Council commended Member States that have accepted the relocation to their territories of acquitted persons and released convicts who have completed serving their sentences and reiterated its call upon other Member States that are in a position to do so to cooperate with the Tribunal for that purpose. The Registrar has highlighted the urgency of the need for increased cooperation to many Member States, including in an address to the Security Council Working Group as has the President in his statements to the Security Council and General Assembly. As detailed above, the President and the Registrar also submitted to the Security Council a strategic plan for relocation on 30 May 2013. Considering the imminent closure, the Tribunal remains in urgent need of the assistance of Member States to find a sustainable solution to this issue.

37. The Tribunal welcomed a total of 1,285 visitors, including high-level United Nations and government officials, academics, civil society, non-governmental organizations and the general public. The Office of the Registrar also managed the wide dissemination of information about the Tribunal's activities by means of press meetings, newsletters and press releases as well as the website, films and information brochures in English, French and Kinyarwanda. Through its External Relations and Strategic Planning Section, the Office also managed to distribute more than 15,000 copies of the Tribunal's Cartoon Book, which is part of the Tribunal's youth sensitization project in the five East African countries, namely Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania. It also briefed more than one thousand visitors including students, academics, military officers, media practitioners and government and non-government officials as well as members of the public who visited and toured the Tribunal. At these events, film screenings,

talks and discussions on the work of the Tribunal were held. The Section also processed numerous local and international media enquiries and broadcast trial proceedings in the *Ngirabatware* case via satellite. An open line of communication is maintained with universities and other educational institutions in the region.

38. The Umusanzu Information and Documentation Centre in Kigali and 10 additional provincial information centres located across Rwanda continued to play a key role in promoting outreach activities of the Tribunal through information dissemination, improved communication and access to the jurisprudence and other legal materials of the Tribunal. The centres are visited daily by members of the Rwandan judiciary, students, researchers and the public who are provided with informative materials and have access to briefings, training, library services, video screenings and the Internet.

39. The Information and Documentation Centre continues to be the object of greater awareness and use by senior officials of the military, police and civil society organizations from Rwanda and other countries, including Canada, Ethiopia, Nigeria, the Sudan, Switzerland and the United States of America, who are on official study and/or attachment visits in Rwanda. The Centre also received groups from Canada and South Africa during this reporting period.

40. The Office of the Registrar continued its partnership with the Department of Information of the United Nations Secretariat in promoting outreach in Rwanda through the Umusanzu centre. In February 2013, the centre received a new set of exhibition panels from the Department reflecting the history of the Rwandan genocide, which is used by the outreach team in all genocide awareness and sensitization workshops countrywide, covering 25 secondary schools, two demobilization, solidarity and reintegration camps, and one institution of higher learning, in six districts. Approximately 31,320 teachers, students and ex-combatants participated in the programme. The outreach team used the same opportunity to distribute information materials provided by the Tribunal and the Department of Information to all participating schools, camps, local government offices and members of the public. During the reporting period, the information centre in Kigali received approximately 42,000 visitors, while the provincial information centres received approximately 28,000 visitors.

2. Judicial and Legal Services Division

41. During the reporting period, the Tribunal engaged in a reorganization of the Judicial and Legal Services Division in line with downsizing and the reduced requirements in certain sections within the Division. The reorganization combined the Witness and Victims Support Section, the Court Management Section, and the Defence Counsel and Detention Management Section to form the Judicial and Legal Affairs Section. Accordingly, the Judicial and Legal Services Division is now responsible for the Judicial and Legal Affairs Section, the Language Services Section, the United Nations Detention Facility, and the Legal Library and Reference Unit.

42. The newly created Judicial and Legal Affairs Section provided legal support to the Trial Chamber and the Office of the President and managed, via focal points within the Section, the following activities during the second half of the reporting period: court management, defence counsel and detainee support, and witness and victim support. Legal officers of the Section are also currently assisting the

Mechanism by acting as interim monitors of the *Uwinkindi* trial in Rwanda. Throughout the reporting period, the monitors submitted monthly reports to the Tribunal and the Mechanism on the status of the pretrial proceedings.

43. During the reporting period, in the Judicial and Legal Affairs Section the focal point for court management provided support services to the judicial processes of the Tribunal, including provision of real-time transcripts of trial and appellate proceedings. As part of its role in the capacity-building and outreach activities of the Tribunal, the focal point for court management continued to conduct training sessions for representatives of various African countries, including the Court of Justice of the Economic Community of West African States, as well as outside of Africa, for example at the Caribbean Court of Justice. Those training sessions included demonstrations on the Tribunal's system for the instantaneous production of transcripts and the management of judicial records. As a major component of the Tribunal's transition to the Mechanism, court management contributed to the development and implementation of procedures for the filing of documents as well as management of records and archives to be transferred to the Mechanism. It also continued to prepare judicial records for transfer to the Mechanism, which includes the redaction of the audiovisual recordings of the Tribunal's proceedings so they may be made available to the public.

44. The focal point for defence counsel and detainee support continued to provide essential services to defence counsel, detainees, prisoners, and acquitted and convicted persons released in the United Republic of Tanzania. This includes management of payments to defence counsel and attending to requests from detainees and released persons in the United Republic of Tanzania related to services provided by the Tribunal.

45. During the reporting period, the focal point for witness and victim support worked closely with the Mechanism to prepare witness files for handover in relation to 57 completed cases before the Tribunal. In accordance with protective measures ordered by the Chambers, transcripts were redacted to expunge identifying information concerning witnesses or their family members prior to the transcripts being made public.

46. The United Nations Detention Facility, as at 30 June 2013, housed a total inmate population of 17 detained persons. This includes 14 convicted persons awaiting judgements on appeal by the Tribunal, one convicted person awaiting judgement on appeal by the Mechanism, one convicted person awaiting an order for transfer for the enforcement of sentence by the Mechanism, and one person imminently expected to be transferred to Rwanda for trial since the recent confirmation, on appeal, of the referral of his case to that country.

47. The Language Services Section provided mainly interpretation and translation services in English, French and Kinyarwanda to the Tribunal and the Mechanism during proceedings conducted before the Trial Chamber and the Appeals Chamber. In this regard, the Section dealt with documents emanating from the Chambers (Trial and Appeals) and the parties (prosecution and defence). It also provided the same services to the Office of the Prosecutor, the Registry and other Tribunal and Mechanism departments. In addition to translation and interpretation, the Section provided reproduction services to all organs of the Tribunal and the Mechanism. During the reporting period, six trial judgements, 10 appeal judgements, numerous trial and appeal decisions as well as various filings from parties including appeal

briefs and other judicial documents such as closings briefs, motions and replies were received for translation. As trials came to an end in 2012, interpreters were assigned to translation to boost the output and enable the Section to substantially improve delivery times. In addition, documents for translation were outsourced, and freelance revisers were recruited to alleviate the heavy workload of the Section.

48. In the framework of the legacy of the Tribunal, the Legal Library and Reference Unit has updated the online basic documents and case law database with documents up to June 2013. In order to disseminate the Tribunal's basic documents and case law to a large number of researchers, the Library is negotiating with worldwide legal databases to integrate the current basic documents as part of the Tribunal's legacy. Some world legal databases and information gateways, such as the World Legal Information Institute and the International Network for the Availability of Scientific Publications, have already included the link to the Tribunal's basic documents as part of their services providing members free access to information including legal jurisprudence. In addition, the Library released and distributed the 2012 version of the Tribunal's basic documents and case law (DVD and CD-ROM) to more than 100 judicial institutions worldwide including in Rwanda.

49. The Legal Library and Reference Unit continues to provide library services to support the judicial process at the Tribunal and the Mechanism, and to respond to the increasing numbers of requests from outside clients. From July 2012 up to the present, the Library has also benefited from the United Nations libraries consortium with respect to trial advantages from different publishers and online databases, and articles related to international criminal law and other related fields are downloaded and stored for the Library's users.

50. The Library continues to provide printed materials such as judgements in Kinyarwanda, newspapers and other relevant materials in the form of donations to the Tribunal's prison quarters in Benin and Mali, to the mini-information and documentation centres established in the provinces in Rwanda and also to the United Nations Detention Facility in Arusha.

3. Division of Administrative Support Services

51. The Division of Administrative Support Services carries the responsibility of providing a wide range of services, such as budget and finance, medical services, security, travel, human resources, training and counselling services, buildings management, and property control. During the reporting period the Division has also been providing administrative services to the Mechanism in line with the provisions of Security Council resolution 1966 (2010).

52. The process of downsizing continued to pose major challenges to the operations of the entire Tribunal and the Division has continued to respond to those challenges in a proactive and flexible manner. A staff retention exercise was conducted in order to determine the number and composition of staff to be retained until the completion of the Tribunal's work. As at 30 June 2013, the Tribunal had 349 staff members against an authorized staffing level of 416 posts. The Tribunal's staff comes from 59 countries and, as at 30 June 2013, the gender ratio of staff is 60 per cent male and 40 per cent female.

53. The Tribunal provided administrative support to the Arusha branch of the Mechanism following its establishment on 1 July 2012, including facilitation of

recruitment and provision of administrative services to the 37 Mechanism staff members in the Arusha and Kigali duty stations.

54. Through the Human Resources and Planning Section, the Tribunal has undertaken a smooth and objective downsizing process with respect to the large number of staff separating from the Tribunal. Repatriation, relocation and career counselling, in addition to the other staff administration and recruitment activities, made up the majority of the workload of the Section during the reporting period. With more than 50 per cent of the Tribunal's workforce consisting of staff members who have been with the Tribunal since its inception, the looming closure and few options for future jobs have been a source of stress and concern which the Tribunal has to deal with as part of the completion strategy. It should also be noted that the short duration of contracts issued to current staff members continued to contribute to increased uncertainty and to have a negative impact on productivity. In addition, it has proved difficult to attract qualified candidates for short-duration contracts. The current limitations to temporary appointments have the potential for a negative impact on the timely liquidation of the Tribunal's assets and liabilities, which is also part of the completion strategy.

55. The Career Development and Counselling Unit is implementing a four-pronged strategy to support the completion of the Tribunal's mandate, as follows:

(a) Training programmes to support personal and professional transition of staff: these are aimed at providing management and staff with skills to meet the challenges of organizational change and downsizing, multi-tasking and double-hatting. They also aim to provide staff with skills to successfully make the transition to another job, self-employment, or retirement, as the case may be;

(b) Training programmes to support completion of operations: these are technical training programmes aimed at helping sections to complete their operations successfully, either to close down or transfer functions to the Mechanism;

(c) Stress counselling and coaching support during the completion process: this aims to help staff and their families deal with the stress and challenges of the downsizing, and to coach them on issues such as interview preparation, career planning, problem-solving and decision-making;

(d) Provision of welfare support to separating and relocating staff and families: this is aimed at providing practical help and information during separation and relocation, and promoting physical fitness and social well-being of Tribunal staff and families during the final period of the Tribunal.

56. The Security and Safety Section continued to support the Tribunal and the Mechanism to ensure the safety and security of their staff, premises, assets and operations through implementation of United Nations security management system policies. With increasing security concerns due to bomb explosions in Arusha, the Section has continued to promote close collaboration with the host Government authorities in monitoring security trends and ensuring that appropriate measures are in place.

57. The Health Services Unit provided curative, preventive and trauma counselling support and performed medico-administrative duties for staff members and officials of the Tribunal and the Mechanism and their dependants. Owing to lack of adequate

medical facilities in Arusha, the Unit is also responsible for providing medical services to detainees, witnesses and victims.

58. In the area of resources management, the Budget and Finance Section continued to provide expertise on proper planning, control and monitoring of the utilization of available resources as well as timely and reliable services to staff members and clients of the Tribunal.

59. The General Services Section provided vital support to the Tribunal, which included realignment of office space, preparing administrative documents for archiving, construction of a temporary archives facility, general repairs and maintenance, and asset control and management.

60. The Building Management Services, in line with the completion strategy, continued to relocate surplus accommodation containers from Kigali to Arusha for use as offices, thus allowing for the return of some regular rental space to the landlord. During the reporting period, the Services continued to review use of office space in line with the completion strategy, and apart from the staff of the Office of the Prosecutor, all Tribunal staff members have been consolidated into one wing of the Arusha International Conference Centre complex. All courtrooms, apart from the one being retained for the use of the Appeals Chamber and the Mechanism, have been dismantled and the space has been reorganized or returned to the landlord.

61. The use of the Galileo Inventory Management System for Asset Management Services is now fully implemented at the Tribunal. The result is improved internal controls on asset management. Disposal of excess assets in line with the completion strategy is ongoing.

62. With the impending closure of the Tribunal, the main function of the Procurement Section has been the disposal of the Tribunal's assets and transferring those which may be utilized by the Mechanism into its custody. During the reporting period, the procurement workload has also increased because of demands for the procurement, shipping and clearing of items procured for the Mechanism.

63. The Administrative Legal Services Unit has continued to play an important legal advisory role for issues pertaining to the proper implementation and interpretation of United Nations administrative rules, cases relating to the immunities and privileges of staff regarding civil and criminal cases, and disputes related to domestic employees of Tribunal staff members. In addition, the Unit has been assisting the Registrar with appeals related to the downsizing and retention processes, performance evaluations, and investigations of allegations and misconduct in collaboration with the Office of Internal Oversight Services.

III. Conclusion and recommendations

64. The Tribunal has made significant achievements during the past year towards the goals of the completion strategy in the face of a very high workload: the final trial judgement was delivered in December 2012 and significant progress was made on the appeals and transition to the Mechanism. During the reporting period there has also been an ongoing shift in the Tribunal's focus with respect to both judicial and administrative activities. With the completion of trials and upholding of the referral to Rwanda of the second case of an accused in custody, the focus is now

squarely on the transition to the Mechanism and the completion of the appeals in an efficient and timely manner without compromising fair trial rights.

65. State cooperation remains the cornerstone for the ability of the Tribunal to complete its mandate. The Tribunal appreciates the continuing trust and support of Member States, and has continued to work in close cooperation with Member States to ensure a seamless transfer to the Mechanism of tracking efforts with respect to the remaining fugitives. The Tribunal could benefit, however, from increased cooperation with respect to its efforts to relocate acquitted persons and those convicted persons released in the United Republic of Tanzania.

66. In this respect, the Tribunal reiterates the call for urgent action to help find host countries for the now seven acquitted persons who remain in a safe house in Arusha under the Tribunal's protection as well as for the three convicted persons in Arusha who have completed serving their sentences. The Tribunal remains concerned about the consequences of failing to fulfil its obligation to relocate acquitted persons and those who have completed their sentences. In this respect, the President and the Registrar have redoubled their efforts to find States for relocation and hope that Member States will actively participate in the Tribunal's strategic plan for relocation.

67. Finally, as the Tribunal continues to separate staff pursuant to the completion strategy, the request for absorption of the Tribunal's staff members into the United Nations system is re-emphasized. The Tribunal would appreciate the usual support given by Member States in addressing its numerous challenges.

68. As the Tribunal moves into a post-trial phase where its mandate draws ever nearer to completion, it is our intention to continue efforts to ensure that the legacy of the Tribunal is not only its judicial decisions, but also the knowledge gained and lessons learned with respect to running an international judicial institution. The Tribunal's actions in capacity-building, training and education, which have now expanded beyond East Africa and even beyond Africa with recent training in the Caribbean will remain strong. The impact of the Tribunal's work will not only challenge impunity but will also improve the means to dispense justice for an entire region and educate the world on why it is important to fight to ensure that there is never again another tragedy like that of the Rwandan genocide.

69. The countdown to the closure of the Tribunal has begun. A budget proposal for the biennium 2014-2015 has been submitted, which is expected to be the final such proposal from this Tribunal. As the Tribunal continues to wrap up its work, however, a great deal remains to be done before it can close the doors and leave the residual matters to the Mechanism. In order to achieve what is necessary prior to closure, the Tribunal once again calls upon the international community to provide it with the support and resources necessary to achieve completion of its mandate.